

Message Text

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ACTION PM-05

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O 101133Z JAN 78
FM AMEMBASSY BRUSSELS
TO SECSTATE WASHDC IMMEDIATE 4159
SECDEF WASHDC IMMEDIATE
INFO USNMR SHAPE IMMEDIATE
USMISSION USNATO IMMEDIATE
USCINCEUR VAIHINGEN GER IMMEDIATE

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SECDEF FOR DSAA/ISA-EUR REGION/USDR&E. FROM ODC-BELLUX

EO 11652: GDS
TAGS: MARR, MPOL, NATO, BE
SUBJ: BELGIAN HAWK (U)

REF: A. SECSTATE 311105 310125Z DEC 77. B. BRUSSELS
090948Z JAN 78.

1. (U) US TEAM (INCLUDING ODC AND EMBASSY REPRESENTATIVES) MET FOR FOUR HOURS MONDAY, 9 JANUARY 78 WITH REPRESENTATIVES OF GOB DEFENSE, FOREIGN AND ECONOMIC MINISTRIES. TEXT OF MOU PROPOSED BY US IN REF A, AND AMENDED AS DISCUSSED PARA 3, REF B, WAS FURTHER AMENDED BY GOB. SEVERAL CHANGES OF MINOR NATURE ARE DESCRIBED IN PARA 10 BELOW.

2. (C) MAJOR DIFFICULTY WAS ENCOUNTERED WITH LANGUAGE OF FINAL PARAGRAPH OF MOU. AS ANTICIPATED PARA 5, REF B, TENTATIVE LANGUAGE SUGGESTED AT MEETING ON FRIDAY PROVED INADEQUATE TO MEET POLITICAL NEEDS OF BELGIAN GOVERNMENT
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FOR POSITIVE ASSURANCES THAT EQUALIZATION WOULD IN FACT BE ACHIEVED IN QUOTE REASONABLE UNQUOTE TIME.

3. (C) GOB REPRESENTATIVES PROPOSED TO ADD AT END OF FINAL PARAGRAPH A SINGLE SENTENCE WHICH WOULD INDICATE THAT EQUALIZATION QUOTE SHALL BE ACHIEVED UNQUOTE WITHIN FIVE YEAR PERIOD.

4. (C) US TEAM MADE IT CLEAR THAT US COULD NOT ACCOMMODATE ANY FORM OF GUARANTEE OR COMMITMENT AS TO A SPECIFIC TIMEFRAME. US TEAM EMPHASIZED THAT MOST US COULD OFFER WAS AN OPPORTUNITY FOR BELGIAN INDUSTRY TO COMPETE ON QUOTE FAIR AND EQUAL BASIS UNQUOTE, AND THAT FINAL DECISION WOULD HAVE TO REST ON A JUDGEMENT BY GOB THAT BELGIAN INDUSTRY WOULD IN FACT BE SUCCESSFUL ENOUGH TO MEET THEIR REQUIREMENTS.

5. (C) MEETING RECESSED FOR 30 MINUTES TO ALLOW GOB DELEGATION TO REVIEW SITUATION PRIVATELY. UPON RECONVENING, FOREIGN OFFICE REPRESENTATIVE REOPENED MEETING WITH STRONG STATEMENT THAT GOB REGARDED THIS NEGOTIATION AS A TEST CASE, AND THAT INABILITY TO REACH AGREEMENT WOULD HAVE SERIOUS POLITICAL CONSEQUENCES FOR BELGIUM'S ATTITUDE TOWARDS NATO, THE QUOTE TWO-WAY STREET UNQUOTE, AND IN OTHER DEFENSE AREAS. HE EMPHASIZED THAT GOB WAS LOOKING TO THIS PROGRAM TO DEMONSTRATE THAT CONCRETE RESULTS FOR BELGIAN ECONOMY, WHICH ARE ESSENTIAL UNDER PRESENT ECONOMIC AND SOCIAL CIRCUMSTANCES IN BELGIUM, COULD BE ACHIEVED.

6. (C) FOLLOWING THIS PRESENTATION, LTG BASTOGNE, CHEF DE CABINET OF MINISTRY OF DEFENSE, AND HEAD OF BELGIAN DELEGATION, TABLED NEW LANGUAGE FOR FINAL SENTENCE OF CONFIDENTIAL

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MOU, SUGGESTING THAT IT NOT BE DISCUSSED UNTIL BOTH SIDES HAD HAD AN OPPORTUNITY TO CONSULT HIGHER AUTHORITY. HE EMPHASIZED THAT THIS PROPOSAL REPRESENTED A MAJOR REVISION OF BELGIAN POSITION (WHICH WE RECOGNIZED AS BARGAINING POSITION BUT INDICATIVE OF SERIOUS NATURE OF PROBLEM) AND EXPRESSED HOPE THAT US WOULD UNDERSTAND CAREFULLY CONSTRUCTED LANGUAGE AND DO ITS BEST TO TRY TO FIND THEIR CONCEPT, IF NOT THE SPECIFIC LANGUAGE, ACCEPTABLE. BASTOGNE AND OTHERS PRESENT SAID FLATLY THAT NEGOTIATION WOULD FAIL, UNLESS USG COULD BEND ENOUGH ON LANGUAGE TO PERMIT BELGIAN NEGOTIATORS TO SELL DRAFT MOU TO HIGHER GOB AUTHORITIES. (COMMENT: WE TAKE THIS STATEMENT AT FACE VALUE AND DO NOT CONSIDER IT A BARGAINING POSITION. END COMMENT).

7. (C) TEXT OF LANGUAGE PROPOSED BY GOB IS AS FOLLOWS:
QUOTE: BOTH US AND BELGIAN GOVERNMENTS SHALL DO EVERYTHING POSSIBLE WITHIN THEIR RESPECTIVE LAWS AND REGULATIONS TO ACHIEVE THE OBJECTIVE WITHIN A PERIOD OF FIVE YEARS AT AN AVERAGE RATE OF TWENTY PERCENT PER YEAR. IF THIS LATTER OBJECTIVE IS NOT ACHIEVED, BOTH GOVERNEMENTS WILL CONSULT EACH YEAR IN ORDER TO TAKE ALL NECESSARY ACTIONS TO ATTAIN

IT. IF THE TOTAL OBJECTIVE IS NOT REACHED WITHIN A PERIOD OF FIVE YEARS, THE OPEN AMOUNT OF US PURCHASES FROM BELGIAN PRODUCTION SOURCES WILL BE ADJUSTED TAKING INTO ACCOUNT THE BUYING POWER OF THE DOLLAR AT THAT MOMENT COMPARED TO THE 1978 BUYING POWER. UNQUOTE.

8. (C) US TEAM UNDERSTANDS THAT BELGIAN CONCERN IS TO AVOID EROSION OF REAL MEANING OF EQUALIZATION IN BELGIAN ECONOMY BY ADJUSTING SHORTFALL TO PRESERVE ACTUAL PURCHASE

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AMOUNT IN REAL TERMS. THIS MAY BE ILLUSTRATED BY FOLLOWING EXAMPLE:

A. ASSUME COST OF ITEM OF BELGIAN DEFENSE EQUIPMENT IN 1978 WAS ONE THOUSAND DOLLARS, OR THIRTY-TWO THOUSAND BF AT CURRENT EXCHANGE RATES.

B. ASSUME COST OF SAME ITEM IN 1983 IN BELGIUM WAS FORTY-EIGHT THOUSAND BF DUE TO INFLATION RATE OF TEN PERCENT PER YEAR FOR FIVE YEARS.

C. ASSUME CURRENCY EXCHANGE IN 1983 WAS TWENTY-FOUR BF TO ONE US DOLLAR.

D. THEN IN REAL TERMS IT WOULD TAKE TWO THOUSAND DOLLARS TO BUY SAME DEFENSE ITEM IN 1978, AND ADJUSTMENT FACTOR WOULD BE TWO. THAT IS, IF ACTUAL SHORTFALL WERE

TEN MILLION DOLLARS, A SINGLE ONE-TIME ADJUSTMENT WOULD BE MADE TO CALL THE SHORTFALL TWENTY MILLION DOLLARS, AND AGREEMENT WOULD CONTINUE AS BEFORE.

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9. (C) US TEAM BELIEVES LANGUAGE OF TEXT QUOTED IN PARA 7 COULD BE IMPROVED BY MAKING FOLLOWING CHANGES:

A. CHANGE QUOTE US AND BELGIAN GOVERNMENTS UNQUOTE IN FIRST SENTENCE TO READ, QUOTE: MOD AND DOD UNQUOTE. THIS SHOULD AVOID IMPLICATION THAT OTHER US EXECUTIVE BRANCH DEPARTMENTS ARE INVOLVED.

B. CHANGE QUOTE TAKE ALL NECESSARY ACTION TO ATTAIN IT UNQUOTE, IN SECOND SENTENCE TO READ, QUOTE: DETERMINE WHAT ACTIONS ARE NECESSARY TO ACHIEVE IT UNQUOTE. THIS WILL MAKE THIS SENTENCE CONSISTENT WITH OTHER PORTIONS OF MOU AND AVOID MISUNDERSTANDINGS.

C. ADD AT END OF FINAL SENTENCE, QUOTE: WITH RESPECT TO THE VALUE OF BELGIAN DEFENSE PRODUCTS AND SERVICES UNQUOTE. THESE CHANGES SHOULD BE ACCEPTABLE TO GOB IF US CAN AGREE TO BASIC CONCEPT BEING PROPOSED.

10. (C) OTHER LESS SUBSTANTIVE CHANGES TO MOU SUGGESTED BY GOB ARE AS FOLLOWS:

A. PARA 2 OF MOU - CHANGE TO READ AS FOLLOWS: QUOTE: THE OBJECTIVE OF THIS MEMORANDUM OF UNDERSTANDING (MOU) IS TO ACHIEVE A FLOW OF DEFENSE EQUIPMENT AND SERVICES FROM BELGIUM TO THE US (INCLUDING US FORCES IN EUROPE) IN AN AMOUNT EQUAL TO THE NET DOLLAR AMOUNT FLOWING TO THE US AS A RESULT OF THE PURCHASE BY THE BELGIAN GOVERNMENT OF THE MISSILE SYSTEM, SUPPORTING EQUIPMENT AND SERVICES SET OUT IN PARA 1. TO THIS END THE US AND BELGIAN GOVERNMENTS WILL UNDERTAKE THOSE ACTIONS SET FORTH BELOW. UNQUOTE. US TEAM BELIEVES THIS COULD BE CLARIFIED BY INSERTING AFTER

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QUOTE ACHIEVE UNQUOTE, IN FIRST SENTENCE, THE PHRASE QUOTE THROUGH THE WAIVING OF BUY AMERICAN AND OTHER PRICE DIFFERENTIALS ON DEFENSE PURCHASES UNQUOTE. THIS SHOULD AVOID ANY FUTURE CONNOTATION THAT US DOD IS COMMITTED TO ANY OTHER TYPE OF PROCUREMENT ACTION UNDER THE MOU.

B. PARA 3 - FIRST SENTENCE IS REPHRASED AS FOLLOWS:

QUOTE: THE RAYTHEON CORPORATION, IN A SEPARATE AGREEMENT WITH THE GOVERNMENT OF BELGIUM, IS COMMITTED TO SEEK OPPORTUNITIES TO PLACE ORDERS WITH BELGIAN INDUSTRIES UNQUOTE.

C. PARA 3 - SECOND SENTENCE BECOMES NEW PARAGRAPH 4 TO READ AS FOLLOWS: QUOTE: THE US DEPARTMENT OF DEFENSE (HEREINAFTER CALLED THE DOD) WILL SIMULTANEOUSLY SUPPLEMENT US INDUSTRY EFFORTS IN ORDER TO ACHIEVE THE OBJECTIVE OF THIS MOU AS SET FORTH IN PARA 2 ABOVE, BY OFFERING TO BELGIAN INDUSTRY THE OPPORTUNITY TO PROVIDE DEFENSE EQUIPMENT AND SERVICES UNDER ITS SOLICITATION PROCEDURES IN ACCORDANCE WITH PARA 6 BELOW.

D. PARA 5, SUBPARA C - REPLACE WITH TWO SEPARATE SUBPARAS AS FOLLOWS: QUOTE:

- C. RELEASE ALL INFORMATION AND TECHNICAL DATA, PROPERTY OF THE DOD, NECESSARY FOR THE PRODUCTION OF ITEMS IN BELGIUM ON CONTRACTS WHICH HAVE BEEN AWARDED TO BELGIAN INDUSTRY. TO THE EXTENT COSTS ARE INVOLVED, THESE WILL BE THE SAME AS FOR US SOURCES. UNQUOTE. WE BELIEVE THIS LANGUAGE COULD BE CLARIFIED BY REPLACING QUOTE

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PROPERTY OF THE DOD UNQUOTE, WITH PHRASE QUOTE IN WHICH

THE DOD HAS RIGHTS UNQUOTE.

- QUOTE D. IN THE CASE OF PRIVATELY OWNED PROPERTY RIGHTS, USE ITS BEST EFFORTS TO PROVIDE TO BELGIAN CONTRACTORS, ON A REASONABLE COST BASIS, TECHNICAL DATA REQUIRED FOR PRODUCTION UNQUOTE. WE BELIEVE THIS TEXT COULD ALSO BE CLARIFIED BY REPLACING QUOTE PROPERTY RIGHTS UNQUOTE, WITH QUOTE RIGHTS IN TECHNICAL DATA UNQUOTE.

E. ADD AT END OF PARA 5 FOLLOWING TWO SENTENCES:

QUOTE: THE PURPOSE OF THE ABOVE STATED ARTICLES IS TO INSURE A FAIR COMPARISON BETWEEN THE OFFERS OF US AND BELGIAN SOURCES. BELGIAN SOURCES WILL BE PROVIDED EVERY OPPORTUNITY TO COMPETE ON A FAIR AND EQUAL BASIS WITH US SOURCES FOR BOTH RESEARCH AND DEVELOPMENT AND PRODUCTION CONTRACTS CONSISTENT WITH US NATIONAL DISCLOSURE POLICY UNQUOTE. LATTER SENTENCE WAS TAKEN BY US TEAM FROM IMPLEMENTING ANNEX TO UK MOU IN ATTEMPT TO ANSWER GOB REQUEST FOR WORDS THEY COULD USE TO ASSURE CRITICS COMPETI-
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TION WOULD BE ON EQUAL BASIS. GOB REPS ALSO EXPRESSED CONCERN AT THIS POINT THAT US OFFERS BE FOR ITEMS OF QUOTE EQUIVALENT TECHNOLOGY UNQUOTE. US REPS POINTED OUT THAT PROPOSAL WOULD OPEN ALL RELEASEABLE US REQUESTS FOR PROPOSALS AND BELGIAN GOVERNMENT HAD OPPORTUNITY TO CHOOSE IF IT PREFERRED TO SO LIMIT ITS PARTICIPATION. US TEAM EMPHASIZED THIS WOULD MAKE ACHIEVEMENT OF TARGET MORE DIFFICULT. GOB RESERVED ON ISSUE, AND MAY PROPOSE FURTHER LANGUAGE ON THIS POINT AT NEXT MEETING.

F. PARA 8 - ADD AFTER QUOTE TO REVIEW UNQUOTE THE WORDS, QUOTE AND APPROVE UNQUOTE. THE PURPOSE OF THIS INSERTION IS TO INDICATE THAT PROJECT OFFICERS WILL ALSO BE RESPONSIBLE FOR COUNTING THE ORDERS PLACED AND AGREEING TO THE TOTAL ACHIEVEMENT. WE RECOMMEND THAT ABOVE CHANGES, WITH MODIFICATIONS NOTED IN 10A, 10C AND 10D BE APPROVED.

11. (C) US EMBASSY BELIEVES THAT ASSESSMENT OF SITUATION AS GIVEN BY FOREIGN OFFICE REPRESENTATIVES (SEE PARA 5 ABOVE) IS CORRECT AND VIEWS MATTER AS ONE OF EXTREME SERIOUSNESS. US TEAM BELIEVES THAT IF BELGIAN PROPOSED CHANGES OUTLINED IN PARAS 7 AND 10 ABOVE, WITH SUGGESTED MODIFICATIONS NOTED IN PARA 9 AND 10, CAN BE ACCEPTED BY US, AGREEMENT SHOULD BE POSSIBLE. WE BELIEVE THAT GOB UNDERSTANDS FULLY US INABILITY TO GO BEYOND THE ORIGINAL OFFER OF OPENING THE DOOR TO BELGIAN INDUSTRY ON A FULLY COMPETITIVE BASIS. NEVERTHELESS, GOB REPRESENTATIVES, ESPECIALLY THOSE FROM MINISTRIES OF ECONOMIC AND FOREIGN AFFAIRS (SOCIALISTS WHOSE PARTY PREVIOUSLY TOOK ANTI I-

HAWK POSITION AND WHO HAVE NO LOVE FOR DEFENSE MINISTER VANDEN BOEYNANTS WHO BELONGS TO FRENCH-SPEAKING WING OF PRIME MINISTER'S PARTY), MUST FIND WAY TO SELL THEIR PRINCIPALS AND CONSTITUANTS A PACKAGE THAT WOULD MAKE IT CONFIDENTIAL

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APPEAR THAT THEY HAVE EXTRACTED MEANINGFUL CONCESSIONS FROM THE USG IN RETURN FOR A REVERSAL OF THE GOB'S 1972 TURNDOWN OF I-HAWK. TO DO OTHERWISE WOULD BE POLITICALLY UNACCEPTABLE, ESPECIALLY IN LIGHT OF THE GRAVE, PRESENT ECONOMIC SITUATION OF BELGIUM. IT COULD EVEN DAMAGE THE PRESENT BELGIAN GOVERNING COALITION. THE PHRASE QUOTE TO ACHIEVE THE OBJECTIVE WITHIN A PERIOD OF FIVE YEARS AT AN AVERAGE RATE OF TWENTY PERCENT PER YEAR UNQUOTE, IN FINAL PARA OF NEW DRAFT, IS IN OUR CONSIDERED OPINION FOR PUBLIC CONSUMPTION IN BELGIUM AND IS NOT TAKEN BY THE DRAFTERS AS A GUARANTEE BUT ONLY A SEARCH FOR WORDS TO HELP SELL THEIR CASE. THE GOB REPS UNDERSTAND FULLY THE NO-GUARANTEE ASPECT AND ALSO THE LEARNING CURVE VICE STEADY STATE REALITIES OF THIS ENDEAVOR. YOU WILL NOTE THERE ARE NO TEETH IN THIS, JUST A STATEMENT THAT WE WILL CONFER IF UNSUCCESSFUL AND ADJUST SHORTFALL (ON A ONE-TIME BASIS AFTER FIVE YEARS) TO REFLECT CHANGING ECONOMICS (ANOTHER PUBLIC CONSUMPTION PHRASE). AS LONG TERM BELGIAN ECONOMY IS INFLATING AT A HIGHER RATE THAN U.S., THIS COULD CAUSE THE ADJUSTMENT TO WORK AGAINST THEM. THE GOB NEEDS WORDS THAT LOOK GOOD IN PUBLIC. THESE WORDS, IF ACCEPTED, WILL UNDOUBTEDLY BE TWISTED (BY VDB AND OTHERS) FOR INTERNAL PUBLIC CONSUMPTION TO MAKE THEM SOUND MORE IMPORTANT; NEVERTHELESS THE BOTTOM LINE IS THAT THE GOB KNOWS FULL WELL HOW FAR WE CAN GO AND RATHER THAN ACCEPT A BREAKDOWN IN NEGOTIATION, DRAFTED SOME TENTATIVE PHRASING FOR PUBLIC CONSUMPTION THAT US MIGHT ACCEPT. US SHOULD REVIEW THE ISSUE AND LANGUAGE IN THIS LIGHT.

12. (U) GOB HAS PROPOSED NEXT ROUND OF NEGOTIATIONS FOR 1400 TUESDAY, 10 JANUARY. REQUEST REVIEW AND COMMENT ON PROPOSED CHANGES OUTLINED ABOVE BE SENT ATTENTION CHIEF

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C O N F I D E N T I A L SECTION 04 OF 04 BRUSSELS 00485

ODC BRUSSELS NIACT IMMEDIATE, TO ARRIVE NLT OPENING OF
BUSINESS WEDNESDAY, IF AT ALL POSSIBLE. GDS 31 DEC 84.

CHAMBERS

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